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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,279	10/17/2001	Stephen L. Kuffner	CM01969G	7804
22917	7590	04/25/2006	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			ZHENG, EVA Y	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/982,279

Applicant(s)

KUFFNER ET AL.

Examiner

Eva Yi Zheng

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10, 12-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19, 21-23 is/are rejected.
- 7) ☒ Claim(s) 1-4, 6-10 and 12-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Request for Continued Examination*

1. The request filed on February 28, 2006, for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/982,279 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Claim Objections***

2. Claims 1-4, 6-10, and 12-18 are objected to because of the following informalities:

a) Regarding to claims 1, 10, and 16, recitation: "channel selection method" is recommended to change to – channel selection process – in order to keep consistent with the specification.

b) Regarding to claim 4, recitation: "the method of claim 1 wherein the steps of claim 1" is objected. Please be specific of which steps of claim 1 are repeated. For example: -- the method of claim 1 wherein the steps of estimating, determining, and removing --.

c) Regarding to claim 15, recitation: "the method of claim 10 wherein the steps of claim 10" is objected. Please be specific of which steps of claim 1 are repeated. For example: -- the method of claim 10 wherein the steps of estimating, determining, and removing --.

d) Regarding to claims 17 and 18, recitation: "the method of claim 16 wherein the steps of claim 16" is objected. Please be specific of which steps of claim 1 are repeated.

For example: -- the method of claim 16 wherein the steps of estimating and determining --.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 19, 21-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding to claim 19, lines 8-10 are unclear and confusing since on line 8 recitation: "at least one" means one or more. Limitations on lines 9 and 10 are redundancy of line 8 though in different wording.

### ***Allowable Subject Matter***

5. Claims 1-4, 6-10, and 12-18 would be allowable if rewritten to overcome the objections, set forth in this Office action.

6. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art teaches or suggests a collision detection method used in a communication system as the current application. In specific, estimating and

determining predetermined information in a transmission pass that are sent from a first source, wherein the first transmission pass is one of multiple transmission passes associated with multiple transmission channel selections; determining a set of channels that the signal from the first source device will be received over in at least one subsequent transmission pass; and removing the estimated signal received from a composite signal received in at least one subsequent transmission pass, where the composite signal comprising signals transmitted from a plurality of source devices over a common second channel.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eva Y Zheng whose telephone number is 571-272-3049. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eva Yi Zheng  
Examiner  
Art Unit 2611

April 24, 2006

  
CHIEH M. FAN  
SUPERVISORY PATENT EXAMINER